

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

DENOVER POSTELL,

Plaintiff,

v.

Civil Action No. **3:17CV106**

JOHN DOE,

Defendant.

MEMORANDUM OPINION

On March 3, 2017, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on April 7, 2017, the Court directed Plaintiff to pay an initial partial filing fee of \$21.88 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order shall issue.

Date: 5/1/17
Richmond, Virginia

<div style="display: flex; align-items: center; justify-content: center;"><div style="text-align: right; margin-right: 10px;">/s/</div><div style="font-family: cursive; font-size: 2em; margin: 0;">JAG</div></div> <div style="text-align: center; margin-top: 5px;">John A. Gibney, Jr. United States District Judge</div>
